

Message Text

LIMITED OFFICIAL USE

PAGE 01 MONTEV 00079 101143Z
ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 HA-05 /066 W
-----105160 101150Z /21

P R 101048Z JAN 78
FM AMEMBASSY MONTEVIDEO
TO SECSTATE WASHDC PRIORITY 5583
INFO AMEMBASSY BRASILIA
AMEMBASSY MEXICO
AMCONSUL SAO PAULO

LIMITED OFFICIAL USE MONTEVIDEO 0079

E.O. 11652: N/A
TAGS: SHUM, PINT, BR, UY
SUBJ: HUMAN RIGHTS: CASE OF FLAVIO TAVARES

REF: 77 MONTEVIDEO 5784

1. BEGIN UNCLASSIFIED. FALVIO TAVARES, EXILED BRAZILIAN JOURNALIST WHO HAS BEEN UNDER ARREST HERE SINCE LAST JULY ON ESPIONAGE CHARGES, HAS BEEN GRANTED "CONDITIONAL LIBERTY" BY A MILITARY COURT AND WAS RELEASED FROM PRISON ON JAN. 6. THE MOVE WAS MADE TECHNICALLY POSSIBLE BY THE FINDING OF A MILITARY PROSECUTOR THAT TAVARES' GUILT WAS LIMITED TO THAT OF ACCESSORY TO AN ATTEMPTED ESPIONAGE. THIS LESSER OFFENSE WHICH CARRIES A MAXIMUM 12-MONTH IMPRISONMENT AND EXPULSION FROM COUNTRY PENALTY PERMITS THE ACCUSED'S RELEASE FROM CUSTODY WHILE HIS CASE IS UNDER REVIEW BY THE TRIAL AND APPEALS COURTS. TERMS OF HIS RELEASE REQUIRE TAVARES TO REMAIN IN URUGUAY UNTIL THE CASE IS LITIGATED TO A CONCLUSION.

2. THE EVENT WAS GIVEN BRIEF BUT PROMINENT COVERAGE
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MONTEV 00079 101143Z

BY ALL LOCAL PAPERS JAN. 6-7, WITH EMPHASIS ON THE HUMAN INTEREST SIDE OF THE STORY. IN RESPONSE TO INTERVIEWERS TAVARES STUCK TO HIS FAMILIAR LINE: THAT HE WAS THE INNOCENT AND UNWITTING VICTIM OF CIRCUMSTANCES; THAT HIS ACTIVITIES HAD BEEN LIMITED TO THE JOURNALISTIC SPHERE; THAT HE WAS CONFIDENT HE WOULD BE VINDICATED BY THE MILITARY TRIBUNALS; THAT ANY HEALTH PROBLEMS HE WAS HAVING ANTEDATED HIS ARREST;

AND THAT HE HAD RECEIVED COURTEOUS, CORREST TREATMENT BY
HIS CAPTORS. END UNCLASSIFIED.

3. BEGIN LIMITED OFFICIAL USE. THE PRESENT STEP REPRESENTS
A VINDICATION OF THE PATIENT, NON-POLEMIC, BEHIND-THE SCENES
APPROACH ADOPTED BY TAVARES AND HIS URUGUAYAN AND BRAZILIAN
DEFENDERS. SIGNIFICANTLY, IT COMES ONLY SOME TWO WEEKS
BEFORE THE SCHEDULED VISIT HERE OF PRESIDENT GEISEL. IN
VIEW OF THE GOB'S EXPRESSED INTEREST IN A RESOLUTION OF THE
CASE, THIS MAY HAVE BEEN A SPECIFIC QUID PRO QUO. THE
COURSE OF JUSTICE, EXPECIALLY MILITARY JUSTICE, IN URUGUAY
IS GENERALLY SLOW AND TEDIOUS. HOWEVER, OFFICIAL BRAZILIAN
INTEREST IN THE FATE OF TAVARES HAS APPARENTLY ALREADY WORKED
TO ACCELERATE HIS CASE. IF IT CONTINUES TO BE EVINCED,
HE MAY WELL SOON FIND HIMSELF CONVICTED OF THE LESSER
CHARGE, SENTENCED TO A PERIOD WHICH WOULD REQUIRE NO
FURTHER DETENTION, AND THEN FORMALLY EXPELLED FROM URUGUAY --
WITH FACES SAVED ALL AROUND. END LIMITED OFFICIAL USE.
PEZZULLO

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MONTEV00079
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780014-0712
Format: TEL
From: MONTEVIDEO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780181/aaaacqfo.tel
Line Count: 81
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: e8aceae4-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 MONTEVIDEO 5784
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3801622
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS: CASE OF FLAVIO TAVARES
TAGS: SHUM, PINT, BR, UY
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/e8aceae4-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014